

CLERK USDC EDWI
FILED

COMPLAINT

(for filers who are prisoners without lawyers)

2022 JUL 11 P 4:32

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

HOWARD ELWON BURT BRAZZIEL

v.

Case Number:

(Full name of defendant(s))

22-cv-00796

(to be supplied by Clerk of Court)

Milwaukee County Correctional Officers, Glaze, Simmons, Lawson, Knox, Rodriguez
Milwaukee County Jail Food Services Aramark Employees 'John DOE or Jane DOE' - 10
County of Milwaukee, Jail Inspector Deputy 'Aaron Dabson

A. PARTIES

1. Plaintiff is a citizen of Wisconsin and is located at
(State)

Milwaukee County Jail, 949 N. 9th Street, Milwaukee WI, 53233
(Address of prison or jail)

(If more than one plaintiff is filing, use another piece of paper.)

2. Defendant _____
(Name)

is (if a person or private corporation) a citizen of _____
(State, if known)

and (if a person) resides at Wisconsin

(Address, if known)

and (if the defendant harmed you while doing the defendant's job)

worked for Milwaukee County Jail, Milwaukee County Sheriff's Office, Milwaukee County Jail Food Service Aramark, county of Milwaukee (Employer's name and address, if known)

(If you need to list more defendants, use another piece of paper.)

B. STATEMENT OF CLAIM

On the space provided on the following pages, tell:

1. Who violated your rights;
2. What each defendant did;
3. When they did it;
4. Where it happened; and
5. Why they did it, if you know.

INTRODUCTION

1. On information and belief, all or most parties reside and or resided In the state of Wisconsin, and or Milwaukee County at the time of this Incident, and the events giving rise to the claims asserted herein all occurred within the Milwaukee County Jail, and or Milwaukee County Sheriff's Office. This Action is brought pursuant to 42 U.S.C.S 1983 to redress, Unlawful the deprivation Under the color of law, Plaintiff Howard Elwan Burt Brazziel right as Secured by United States Constitution. SS 895.46, Wis. Stats.

2. Plaintiff Howard Elwan Burt Brazziel date of birth November 11, 1983, was 38 years old.

and at all times relevant here was an adult citizen of the United States At the time of 6-11-2022 date of one of the incidents following many other incidents that occurred At the Milwaukee County Jail and or Milwaukee County Sheriffs Office where Plaintiff Howard is being held on charges and and holds from Sauk and Juneau County.

3. Defendant Correctional Officers Glaze, Lawson, Simmons, Knox, Rodriguez, Milwaukee County Jail and or Milwaukee Sheriffs Office Employee were and are or was still A Milwaukee County Jail Correctional Officer and or Milwaukee County Sheriffs Office Employee and are or was A citizen of Wisconsin and of the United States at all times relevant to this complaint; Officer Glaze; Simmons, Lawson, was acting Unlawfully Forcing Cruel and Unusual Punishment, under the color of law within the meaning 42 U.S.C.S 1983 and within the scope of there employment; Officers Glaze, Simmons, Lawson is being sued and there official capacity as a Milwaukee County Correctional officer and or Milwaukee County Sheriffs Office Employee of Milwaukee County. §§ 895.46, Wis. Stats.

4. Defendant "John Doe or Jane Doe" Milwaukee Jail Food Service and or Aramark "John Doe or Jane Doe" were and or still is Milwaukee County Jail Food Service and or Aramark Employees and are or was A citizen of Wisconsin and of the United States at all times relevant to this complaint "John Doe or Jane Doe" was acting Unlawfully Forcing Cruel and Unusual Punishment under the color of law within the Meaning of 42 U.S.C.S. 1983 and within scope of his or her employment "John Doe or Jane Doe" Is being sued his or her official capacity as a Milwaukee County Jail Food Service and or Aramark Employees of Milwaukee County.

^{ss} § 95.46, Wis. Stats.

5. Defendant Aaron Dabson was at time of the series of unlawful, Cruel and Unusual Punishment was happening at the Milwaukee County Jail, of Milwaukee Jail, Inspector Deputy Aaron Dabson was acting under the color law within the meaning of 412 U.S.C.S. 1983 and within the scope of his employment within the meaning of § 95.46, Wis. Stats Aaron Dabson is being sued in his individual and official Capacities as Jail Inspector of Milwaukee County.

6. The County Milwaukee is a Wisconsin Municipal Corporation with its Principal Place of business in Milwaukee Wisconsin.

General Factual Allegations

1. Plaintiff Howard Elwon Burt-Brazziel on 6-11-2022, Pod 5B Cell: 5, Pod Officer Glaze At the Milwaukee County Jail around 3:30 pm to next day I and my cellmate was locked in our cell due to our Pod 5B on the 5th floor being locked down supposedly cause of short staff, During 2nd shift Officer Glaze was doing rounds and I and my cellmate notified Officer Glaze that there was fecies and Urine water in our cell due to other inmates & loading the Pod he totally disregarded and witness the fecies and urine water in our cell and made us sit in these conditions for several hours, Finally a worker was notified around 8:30 pm to get some of the fecies urine water up but the room to our right was still in the same conditions as us and the water came

right back in our cell we notified Officer Glaze and Officer Simmons they made us sit in these unsafe, unhealthy conditions as well as Officer Lawson until the next day along with this its mold as well in our cell, I have asthma and was made to sleep in these unhealthy, unsafe cruel conditions along with this we were still not able to shower from 6-11-2022 till 6-13-2022 this is also while being feed cold meals from these dates this is an violation Cruel and Unusual Punishment to Howard Elwan Burt-Brazziel which is Due Process Violations under the color of law, By Milwaukee County Jail Employees Correctional Officers and our cell remained Unsanitary and Uninhabitable living conditions clo to the Milwaukee County Jail not having no cleaning supplies to give me Mr. Howard Elwan Burt-Brazziel to even bleach clean my toilet sink floor as well my toilet was turned off for several hours as well this again occurred on 6-18-2022 to 1st shift on 6-19-2022 again on 2nd shift 6-19-2022 was not allowed to shower I was served cold meals again.

6. Plaintiff Howard Elwan Burt-Brazziel on 6-11-2022 - 6-13-2022, 6-18-2022 - 6-19-2022 times about 7:30 am - 8:00 am. Breakfast, 10:50 am. to 1:35 am. Lunch, 4:50 pm. to 6:15 pm. dinner dates and times when meals are served by Milwaukee County Jail

And or Milwaukee County Sheriffs Office Kitchen Staff
John Doe or Jane Doe and or Aramark John Doe or
Jane Doe served Plaintiff Mr. Brazziel cold meals three
times a day on the dates from 06-11-2022 -
06-13-2022, 06-18-2022 - 06-19-2022,
Breakfast, Lunch, Dinner, meals included, Rice
thin meat, pears, Sloppe 2 Apple Juices, Packets of
Springhouse Clear Orange, which is not to total
standard nutrition calories. A day of 2,000 or 3,000
calories note I am Lactose Tolerant and I'm still
being feed dairy products and I'm allergic to tomatoe
sauce but still is being feed these meals. This food
makes me light headed I feel sick at times to
where I just lay in bed. This is causing me to
be scared for my health. Medical Staff I explained
this too as well. An Institution have to serve a hot
meal which the Milwaukee County Jail Institution
went days on serving cold meals on the dates listed
which pretty much has become a daily thing. Subjecting
Plaintiff Howard Elwan Bert-Brazziel to cruel
and unusual punishment, Unlawful, Unconstitutional Practice
in office and Under the color of law, 42 U.S.C.S
1983. 3. 06-11-2022 - 06-13-2022,
Plaintiff Howard Elwan Bert-Brazziel and on 06-18-
06-18-2022 - 06-19-2022 was restricted from
creation time where he could get fresh air or exercise
to stay healthy while Milwaukee County Jail Inspector

Aaron Dobson lead the jail under there unhealthy uninhabitable, unsanitary conditions which Plaintiff Howard Elwan Burt-Brazziel has had nose bleeds do to the dry Air, living in Unsanitary living condition when theres A Covid-19 crisis also subjecting Plaintiff Howard Elwan Burt-Brazziel to Malnutrition not having a hot meal on the date provided subjecting Mr. Brazziel to cruel and unusual punishment, Unlawful and Unconstitutional Praticce in office Aaron Dobson aided to violate Howard Elwan Burt-Brazziel rights that secured by the United States Constitution.

There are Grievances to support this as well of the allegations to the unhealthy, unsanitary, uninhabitable and Malnutrition Condition here at Milwaukee County Jail. This Lawsuit Petition and Motion is accurate given to the best of my Abilities and Knowledge.

C. JURISDICTION



I am suing for a violation of federal law under 28 U.S.C. § 1331.

OR



I am suing under state law. The state citizenship of the plaintiff(s) is (are) different from the state citizenship of every defendant, and the amount of money at stake in this case (not counting interest and costs) is \$_____.

D. RELIEF WANTED

Describe what you want the Court to do if you win your lawsuit. Examples may include an award of money or an order telling defendants to do something or to stop doing something.

1. Four Sets of clean clothes A week as of now I get two. 2. To stop cease, and desist Unlawful and Unconstitunal Pratices in Office and/or under the color law. 3. To stop Malnutrition feed us protein real meat the Standard 2000 to 3,000 calories A day Serving for a Grown Man or Woman. 4. To be Finacially compensated from all Defendant's being sued in this complaint for Punitive damages to Plaintiff Howard Elson Burt- Brazziel, for the Amount of \$100,000 From each defendant totalling the amount to, \$500,000 thousand dollars.

E. JURY DEMAND

I want a jury to hear my case.

☒ - YES

☐ - NO

I declare under penalty of perjury that the foregoing is true and correct.

Complaint signed this 20th day of June 2022.

Respectfully Submitted,

Harold Elton Butts
Signature of Plaintiff

2022004667, Rod 5B Cell 5 Lower Beol
Plaintiff's Prisoner ID Number

Milwaukee County Jail, 949 N. 9th Street,

Milwaukee, WI, 53233
(Mailing Address of Plaintiff)

(If more than one plaintiff, use another piece of paper.)

REQUEST TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING THE FULL FILING FEE

☒ I **DO** request that I be allowed to file this complaint without paying the filing fee. I have completed a Request to Proceed in District Court without Prepaying the Full Filing Fee form and have attached it to the complaint.

☐ I **DO NOT** request that I be allowed to file this complaint without prepaying the filing fee under 28 U.S.C. § 1915, and I have included the full filing fee with this complaint.